

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERICA FIGUEROA,

Plaintiff,

-v-

BJ'S WHOLESALE CLUB, INC.,

Defendant.

USDC SDNY
DOCUMENT
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DATE FILED: 10/30/2023

1:22-cv-3906 (MKV)

ORDER

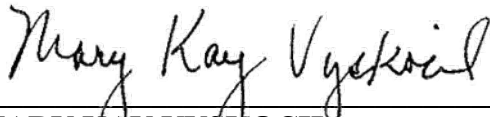
MARY KAY VYSKOCIL, District Judge:

This action was removed from New York state court on May 13, 2022. [See ECF No. 1.] The parties have now stipulated that Plaintiff will not seek in excess of \$75,000 in damages, and jointly move to remand this action to state court. [See ECF No. 13.] Given that the parties have stipulated that the amount in controversy is less than \$75,000, this Court lacks jurisdiction over this action. See 18 U.S.C. § 1332(a). Therefore, with the consent of both parties, [see ECF No. 13], this action is remanded to New York Supreme Court.

The Clerk of Court is respectfully requested to terminate ECF Nos. 7 and 13, to adjourn all existing deadlines and conferences *sine die*, and to close this case.

SO ORDERED.

**Date: October 30, 2023
New York, NY**



MARY KAY VYSKOCIL
United States District Judge